

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division**

ATLANTIC COAST PIPELINE, LLC,

*Plaintiff,*

v.

Case No. 6:19-cv-00075-NKM

0.36 ACRE, MORE OR LESS, IN BUCKINGHAM COUNTY, VIRGINIA, LOCATED ON A TRIANGULAR PARCEL OF LAND LOCATED IN THE NORTHWEST CORNER OF PARCEL IDENTIFICATION NUMBER 91-66 FURTHER DESCRIBED AS THAT UNDELINEATED TRACT OF LAND ON TAX MAP SECTION 91 AND GIS MAP OF SAID SECTION COMPOSED OF UNKNOWN SIZE SITUATED IN THE JAMES RIVER DISTRICT, AND BEING BOUNDED ON THE NORTH BY PARCEL IDENTIFICATION NO. 91-67, ON THE EAST AND SOUTH BY PARCEL IDENTIFICATION NO. 91-66, ON THE WEST BY "OLD ROUTE NO. 660" AND PARCEL IDENTIFICATION NO. 91-23; AND BEING FURTHER SHOWN ON SURVEY PLAT RECORDED IN PLAT BOOK 4, PAGE 45 OF THE PUBLIC RECORD,

and

ALL UNKNOWN OWNERS,

*Defendants.*

**NOTICE OF FILING OF COMPLAINT IN CONDEMNATION**

Plaintiff Atlantic Coast Pipeline, LLC ("Atlantic"), by counsel, and pursuant to Federal Rule of Civil Procedure 71.1(d), hereby notifies you, the Unknown Owners of Tract No. 09-017.5 in Buckingham County, Virginia, that Atlantic has filed a Complaint in Condemnation ("Complaint") in the United States District Court for the Western District of Virginia. The property interests to be condemned are located on that certain triangular piece of real property in

Buckingham County, Virginia, identified as a portion of Parcel Identification Number 91-66, and is further described as that undelineated tract of land on tax map section 91 and GIS map of said section composed of unknown size situated in the James River District, and being bounded on the north by Parcel Identification No. 91-67, on the east and south by Parcel Identification No. 91-66, on the west by “old Route No. 660” and Parcel Identification No. 91-23; and being further shown on survey plat recorded in plat book 4, page 45 of the public records of said County (the “Property”).

**PLEASE TAKE FURTHER NOTICE THAT** this is an action to condemn the following property interests, consisting of 0.36 acre, more or less, which are also set forth in the Complaint and more fully described therein:

Amount of Permanent Easement:	0.07 acre
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Amount of Temporary Easement:	0.29 acre
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**PLEASE TAKE FURTHER NOTICE THAT** the authority for the taking is based on Section 7(h) of the Natural Gas Act, 15 U.S.C. § 717f(h). The property interests taken will be used for the construction, operation, and maintenance of a natural gas pipeline as authorized and approved by the Federal Energy Regulatory Commission via the issuance of a Certificate of Public Convenience and Necessity.

**PLEASE TAKE FURTHER NOTICE THAT** you may serve, in writing, an answer and grounds of defense to the Complaint, setting forth any objection or defense to the taking or damaging of the property or to the jurisdiction of the Court to hear the case, and a request to proceed with either the appointment of Commissioners or empanelment of a jury for the determination of just compensation, on Atlantic’s attorney within twenty-one (21) days after being served with this Notice.

**PLEASE TAKE FURTHER NOTICE THAT** Atlantic's attorney may be served at the following address:

ATTN: Richard D. Holzheimer, Jr.  
McGuireWoods LLP  
652 Peter Jefferson Parkway, Suite 350  
Charlottesville, VA 22911

**PLEASE TAKE FURTHER NOTICE THAT** the failure to serve an answer constitutes consent to the taking and to the Court's authority to proceed with the action and fix the compensation.

**PLEASE TAKE FURTHER NOTICE THAT** if you do not serve an answer, you may file a notice of appearance.

**PLEASE TAKE FURTHER NOTICE THAT** Atlantic intends to request that the Court ascertain just compensation for the subject property to be taken upon or after the expiration of twenty-one (21) days from the service of this Notice.

Dated: November 6, 2019

Respectfully submitted,

**ATLANTIC COAST PIPELINE, LLC**  
By Counsel

**s/ Richard D. Holzheimer, Jr.**

Richard D. Holzheimer, Jr. (VSB No. 40803)

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*Counsel for Atlantic Coast Pipeline, LLC*

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that a true copy of the foregoing, together with Plaintiff's Complaint in Condemnation, will be served upon all named Defendants via private process server or, for unknown landowners and if permitted by the court, via publication. Once service is effectuated, an Affidavit/Return of Service will be filed with the Court.

**s/ Richard D. Holzheimer, Jr.**

Richard D. Holzheimer, Jr.